

### REMARKS

This application has been carefully reviewed in light of the Office Action dated May 9, 2006. Claims 1 to 21 remain pending in the application, with Claims 22 to 30 having been canceled. Claims 1, 11 and 21 are the independent claims herein.

Reconsideration and further examination are respectfully requested.

Claims 3, 13 and 23 were rejected under 35 U.S.C. § 101 for statutory same-invention type double patenting over issued Claims 1, 11 and 3, respectively, of U.S. Patent No. 6,665,719 (Isoda). Additionally, Claims 1, 2, 4 to 12, 14 to 22 and 24 to 30 have been rejected under the judicially-created doctrine of double-patenting over the issued claims of Isoda on the grounds that the features of the present broader claims are contained in the claims of Isoda. The rejections are respectfully traversed and Applicant submits that the amended claims are not directed to the same invention claimed in any of the claims of Isoda, nor are the claims of the present application obvious over any of the claims of Isoda.

In this regard, Claims 1, 11 and 21 have been amended to more specifically include the feature of the control apparatus logging into a different apparatus, and then receiving login identification information from the different apparatus if the login is successful. The received login identification information is then used, if necessary, to maintain communication if a disconnection occurs. The claimed login and login identification information features of Claims 1, 11 and 21 are simply not taught by any of the issued claims of Isoda. Therefore, reconsideration and withdrawal of the double patenting rejections are respectfully requested.

Claims 1, 5, 6, 9 to 11, 15, 16, 19 to 21, 25, 26, 29 and 30 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,341,312 (French), and Claims 2, 4, 7, 8,

12, 14, 17, 18, 24, 27 and 28 were rejected under 35 U.S.C. § 103(a) over French in view of U.S. Patent No. 5,867,636 (Walker). Reconsideration and withdrawal of these rejections are also respectfully requested.

As briefly discussed above, in one feature of the invention, a control apparatus (e.g., a computer) performs a login to a different apparatus (e.g., a printer), and if the login is successful, the control apparatus receives login identification information from the different apparatus. Then, when connection on a lower layer of a communication with the different apparatus is disconnected while data is being transmitted to the different apparatus, an upper layer of the communication is permitted to maintain the login identification information for a predetermined period of time, and, when connection on the lower layer is re-established within the predetermined period of time, the upper layer is permitted to continue the transmission of data by using the maintained login identification information. Thus, by virtue of receiving the login identification information, the control apparatus maintains the information for a predetermined period of time such that new login information is not necessary to continue the communication if a disconnection occurs on the lower layers.

Referring specifically to the claims, amended independent Claim 1 is directed to a communication control apparatus comprising a communicator that performs a login to a different apparatus and receives login identification information for identifying the login from the different apparatus if the login is successful, and a controller that, when connection on a lower layer of a communication with the different apparatus is disconnected while data is being transmitted to the different apparatus, permits an upper layer of the communication to maintain the login identification information for a

predetermined period of time, and, when connection on the lower layer is re-established within the predetermined period of time, permits the upper layer to continue the transmission of data by using the maintained login identification information.

Claims 11 and 21 are method and computer medium claims, respectively, that substantially correspond to Claim 1.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of Claims 1, 11 and 21, and in particular, is not seen to disclose or to suggest at least the features of, when connection on a lower layer of a communication by a control apparatus with a different apparatus is disconnected while data is being transmitted to the different apparatus, an upper layer of the communication is permitted to maintain login identification information, which is received from the different apparatus if a login by the control apparatus to the different apparatus is successful, for a predetermined period of time, and, when connection on the lower layer is re-established within the predetermined period of time, the upper layer is permitted to continue the transmission of data by using the maintained login identification information.

French is merely seen to disclose that a client requests a user to enter authentication information, issues a session establishment request including the authentication information to a server and connects to a network device located on the server. When an interruption of the network connection occurs at a lower level of a network connection protocol after the client is connected to the network device, the client issues a session establishment request to the server without requiring the user to re-enter the authentication information. The client, however, does not receive login identification information from the server or the network device. Absent the login identification

information, the server or the network device cannot determine whether the second session establishment request from the client requests establishment of a new session or continuation of the previous session. Therefore, the data transmitted before the network connection is interrupted may be wasted. Thus, French is not seen to disclose or to suggest at least the features of, when connection on a lower layer of a communication by a control apparatus with a different apparatus is disconnected while data is being transmitted to the different apparatus, an upper layer of the communication is permitted to maintain login identification information, which is received from the different apparatus if a login by the control apparatus to the different apparatus is successful, for a predetermined period of time, and, when connection on the lower layer is re-established within the predetermined period of time, the upper layer is permitted to continue the transmission of data by using the maintained login identification information.

Walker is not seen to make up for the deficiencies of French and is not seen to add anything that, when combined with French, would have resulted in the foregoing features of the invention. Specifically, Walker is merely seen to disclose the use of a server connection protocol that includes OSI layers. However, Walker is not seen to disclose or to suggest anything that, when combined with French, would have taught the features of, when connection on a lower layer of a communication by a control apparatus with a different apparatus is disconnected while data is being transmitted to the different apparatus, an upper layer of the communication is permitted to maintain login identification information, which is received from the different apparatus if a login by the control apparatus to the different apparatus is successful, for a predetermined period of time, and, when connection on the lower layer is re-established within the predetermined

period of time, the upper layer is permitted to continue the transmission of data by using the maintained login identification information.

In view of the foregoing deficiencies of the applied art, amended independent Claims 1, 11 and 21, as well as the claims dependent therefrom, are believed to be allowable.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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